

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Transport Department – Public Servants – Disciplinary proceedings initiated against Sri M.V.Prasada Rao, Assistant Motor Vehicle Inspector, Transport Check Post, Zaheerabad – Punishment of Reduction in pay by 2 levels without cumulative effect imposed – O.A. filed – Setting aside the punishment - Orders – Issued.

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TRANSPORT, ROADS & BUILDINGS (VIG.III.1) DEPARTMENT

G.O.Rt.No. 761.

Dated: 6th August, 2010.

Read the following:--

1. Proceedings of the Transport Commissioner, Andhra Pradesh, Hyderabad R.No.19966/V4/V3/1998, Dated: 24.04.2003.
2. Orders of A.P.Administrative Tribunal dt.24.11.2009 in O.A. No.1875/2006 filed by Sri M.V.Prasada Rao, AMVI.
3. Representation of Sri M.V.Prasada Rao, Assistant Motor Vehicle Inspector, Dated: 08.02.2010.

O R D E R:

In the Proceedings 1st read above, orders were issued imposing a punishment of Reduction in pay by 2 levels without cumulative effect against Sri M.V.Prasada Rao, Assistant Motor Vehicle Inspector on the charge of certain irregularities in corrupt practices by collecting illegal amounts habitually from the vehicles passing through the check post, Zaheerabad etc. in violation of the Rule 3(1) & (2) of Andhra Pradesh, Civil Services (Conduct) Rules, 1964 while he was working at Transport Check Post, Zaheerabad.

2. Aggrieved by the above punishment, Sri M.V. Prasada Rao, Assistant Motor Vehicle Inspector filed O.A.No.1875/2006 in Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad. In its orders 2nd read above, the Hon'ble Tribunal while observing that the proceedings Dated: 09.11.1998 (i.e. Charge Memo.) "cannot be treated as Charge Memo. issued under Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules as the last para states about initiation of disciplinary action after the explanation. Therefore, the enquiry conducted can be treated as Preliminary Enquiry pursuant to the said Memo. The respondents have not conducted the enquiry as per the provisions of the Andhra Pradesh Civil Services (CC&A) Rules as no Charge Memo. in accordance with rules has been issued hence, the impugned orders are issued without any jurisdiction. In view of the above circumstances, it is with out jurisdiction and the Enquiry Report which is to be treated as Preliminary Report has been given by the Enquiry Officer only based on the presumption and they are accordingly set aside and therefore set-aside the impugned orders of punishment imposed against him.

3. Sri M.V.Prasada Rao, Assistant Motor Vehicle Inspector in his representation 3rd read above, has requested to implement the orders of the APAT.

4. Government after careful examination of the matter, have decided to implement the orders of Andhra Pradesh Administrative Tribunal duly setting aside the punishment imposed on Sri M.V.Prasada Rao, Assistant Motor Vehicle Inspector.

5. Accordingly, Government hereby set aside the punishment imposed on Sri M.V.Prasada Rao, Assistant Motor Vehicle Inspector(now Motor Vehicle Inspector).

6. The Transport Commissioner, Andhra Pradesh, Hyderabad shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P.SINGH,
PRINCIPAL SECRETARY TO GOVERNMENT.

To
Sri M.V.Prasada Rao, AMVI through Transport Commissioner,
Andhra Pradesh, Hyderabad.
The Transport Commissioner, Andhra Pradesh, Hyderabad.
SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER.